



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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June 13, 2011

To: Mayor Michael D. Antonovich  
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Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

From: William T Fujioka   
Chief Executive Officer

Lisa M. Garrett   
Director of Personnel

Sachi A. Hamada   
Executive Officer

## UPDATE ON THE COUNTY EQUITY OVERSIGHT PANEL AND THE CONSOLIDATION OF THE OFFICE OF AFFIRMATIVE ACTION COMPLIANCE

On December 14, 2011, the Board adopted a Chief Executive Office (CEO) recommendation to create a countywide employment discrimination complaint process and on January 21, 2011, the CEO submitted a plan to implement the County Equity Oversight Panel (CEOP). The purpose of this memorandum is to provide an update on the original implementation plan and to report on the current status.

The original plan has evolved over the past several months. The revised implementation plan which also includes the completed tasks is presented in Attachment 1. Specific highlights from the plan are described below.

### Formation of the CEOP and Staffing

Your Board adopted the Chief Executive Office's recommendation to create a countywide employment discrimination complaint process modeled after the Sheriff's Equity Oversight panel, specifically to include an Office of the CEOP and an

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independent four member panel of attorneys with employment law experience/expertise or individuals with employment investigation experience.

Your Board approved four staff positions for the Office of the CEOP, which reports to the Executive Officer of the Board of Supervisors. In February and April 2011, the Executive Director and the Management Secretary were hired, respectively. The selection process for the two Analyst positions is currently in progress and will be completed by early July 2011. Additionally, a senior management consultant formerly working for the Office of Affirmative Action Compliance (OAAC) has been hired on a 120-day contract to assist CEOP with the processes and notifications to the external agencies, the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing.

On May 17, 2011, a resume request was sent out to all Board offices, requesting assistance in obtaining resumes for potential panel members. Four attorneys will be hired as non-County employees on a personal services contract at \$200 an hour with a 500 hour cap per year. It is anticipated that the selection and hiring of the panel members will take place in June 2011, and the panel will be seated and ready to review cases and conduct briefings on July 1, 2011.

#### Changes to the Code and Policy

On May 31, 2011, your Board adopted the new County Policy of Equity (CPOE). As a result, the Office of CEOP and the Department of Human Resources (DHR) are both working to ensure that all County employees are aware of the new policy and procedures. Several marketing campaigns will begin this month and it is anticipated that the Department Heads, Chief Deputies and Administrative Deputies will be briefed on this new policy before July 1, 2011. In addition a County website will be launched and brochures will be provided to the Departments to hand out to their employees. DHR will also be providing a mandatory online training course to all County employees to ensure that they are aware and understand the County's new CPOE.

#### Assessments of the current OAAC investigators

DHR has developed assessments to measure the current proficiency level of investigators in the following four areas:

1. Initial assignment, including the jurisdiction designation, complaint allegation process, and issues;

2. Interviewing, including identification of the complainant, subject(s) of investigation, appropriate witnesses, development of questions, ability to focus and maintain control of the interview, and credibility assessment;
3. Investigative Report Writing, including statement of allegations, interview summaries, key findings, conclusions, recommendations, conciseness, clarity, and writing conventions; and
4. Critical thinking skills to include problem identification, inductive and deductive reasoning and analytical skills.

The assessment will require the practical application of the key functions of an investigator, including the assessment of a mock complaint; the evaluation of a videotaped interview with the complainant; the development of relevant interview questions in preparation for a witness interview; the conducting of the witness interview; and the writing of a preliminary investigative report.

The evaluators for the assessment components will include selected subject matter experts in the arena of employment discrimination and improper personnel practice investigations. The evaluators will be provided a scoring rubric for the various assessment exercises.

The assessments will be conducted between June 15, 2011 and June 30, 2011, and staff will continue to be monitored in these areas, as these will be the performance standards that they will be expected to meet on an ongoing basis.

#### Training of current staff

All investigator staff will participate in a two-part training focused on the new Policy of Equity and the revised investigative procedures. The training will include the following topics:

1. Overview of the County Policy of Equity
2. County Intake Specialist Unit
3. County Equity Oversight Panel (CEOP)
4. Complaint Assessment
5. Action Plan Development
6. Interviewing
7. Report Writing
8. Presenting Cases before the CEOP
9. Case Management

It is proposed that the training will begin in July 2011 and will include a pre- and post-test.

#### Placement of staff

Originally, six administrative employees required placement as part of the consolidation. To date, four of the six employees have been placed, or in the process of being placed, in other departments. Mitigation efforts continue to occur for the remaining two employees. One employee will be temporarily absorbed by the DHR until September to assist with final OAAC dissolution activities.

As indicated above, DHR will be assessing the remaining OAAC staff to ensure they are qualified and trained to be either an Intake Specialist or an Investigator. Once assessed, staff will be placed in either the Intake Specialist Unit or the Equity Investigations Unit.

The County Intake Specialist Unit will be part of the Office of the CEOP, while the Equity Investigations Unit will be part of DHR. DHR and the Executive Office are working closely on the staffing levels for each unit and believe that eventually, both Intake Specialists and Investigators will be cross-trained so that staff can be moved in accordance with the work demands that may impact either unit due to increases in volume.

#### Financial Impact

As previously conveyed to your Board, funding for this program remains budget neutral through the elimination of the OAAC and the budgetary transfers were placed in the FY 2011-12 BOS Recommended Budget. Because of the change with the Intake Specialist Unit moving from DHR to CEO, this budgetary move will take place during the FY 2012-13 budget.

The CEO will continue to provide periodic status updates. If you have any questions, please have your staff contact Deputy Chief Executive Officer, Ellen Sandt at (213) 974-1186 or at [esandt@ceo.lacounty.gov](mailto:esandt@ceo.lacounty.gov); Sachi A. Hamai, Executive Officer of the Board of Supervisors at (213) 974-1401 or at [shamai@bos.lacounty.gov](mailto:shamai@bos.lacounty.gov); or Lisa M. Garrett, Director of Personnel at (213) 974-2406 or at [lgarrett@hr.lacounty.gov](mailto:lgarrett@hr.lacounty.gov).

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SAH:MLH:BWD:cg

**Attachment**

c:     Executive Office, Board of Supervisors  
         County Counsel  
         CEO Employee Relations  
         Human Resources

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## County Equity Oversight Panel (CEOP) Implementation Schedule

	Date	Done	Action
<b>COMPLETED TASKS</b>			
1.		x	OAAC to notify the complaining party in writing should the investigation extend beyond the stated time frame.
2.		x	OAAC to distribute an informational brochure regarding the voluntary Dispute Resolution Mediation Program as an attachment to "Acknowledgement of Complaint" letters.
3.		x	OAAC to implement electronic workflow, templates and online review and approvals using new system.
4.		x	OAAC to conduct investigations simultaneously with all cases electing dispute resolution.
5.		x	OAAC to establish investigation review committee to provide quality assurance on investigation reports.
6.		x	OAAC/CEO to develop and implement a triage procedure to identify cases that pose a high risk to the County and which will be given priority status. Procedure already designed and to be presented to CEO.
7.		x	OAAC to use new system to provide management reports tied to workload and timeliness.
8.		x	CEO to prepare Board memo in response to Board motion to implement option selected by BOS.
9.		x	DHR/CEO/CoCo to obtain and modify copy of letter Sheriff sent out requesting resumes from outside attorneys interested in serving on the oversight panel – expertise working with plaintiffs and/or defendants.
10.		x	CEO to obtain recommendations of outside attorneys from BOS, EOP, etc. and issue letters seeking resumes from attorneys interested in serving on CEOP.
11.		x	CEO to prepare Board letter for February filing regarding staff resources needed for 2010-11.
12.	May 31, 2011	x	Board Adopts County Policy of Equity.

## County Equity Oversight Panel (CEOP) Implementation Schedule

	Date	Done	Action
13.	Jun. 2011	x	DHR to identify staff for Centralized Intake Specialist Unit assignment.
<b>CEOP PROGRAM</b>			
14.	Jun. 2011		CEO/DHR/Board Executive Officer to brief department heads on CEOP Program and the effect of CEOP recommendations.
15.	Jun. – Jul. 2011		CEO/DHR/CEOP to continue to share information through meetings with department heads, chief deputies, administrative deputies, human resources managers and risk managers.
16.	Jun. - Jul. 2011		All employees to receive the new equity policy and sign acknowledgment that they understand and will follow policy.
17.	Jul. 2011		CEOP to distribute information on regular oversight panel meeting dates.
18.	Jul. 2011		New oversight panel begins hearing cases including new and existing cases.
19.	Aug. 2011		Review and assess the implementation roll-out and add new departments based on program capacity.
<b>SKILLS ASSESSMENT AND TRAINING</b>			
20.	Jun. 2011		DHR to conduct a skills assessment of current OAAC and DHR investigators in the areas of interviewing skills, critical thinking ability, and report writing.
21.	Jun. – Jul. 2011		DHR to set up standardized investigation training for investigators and discuss other options such as shadowing IA investigators to learn their techniques. Tools to include pre and post-tests on knowledge and core competencies.
22.	Jul. 2011		Consultants to develop training on County policy on equity.
23.	Sep. 2011		DHR to begin mandatory online training on County policy on equity. Supervisors, managers and executives to be trained first, then employees.

## County Equity Oversight Panel (CEOP) Implementation Schedule

	Date	Done	Action
<b>INVESTIGATIONS</b>			
24.	Jul. 2011		DHR to digitally record all complaining party, subject of investigation and witness interviews, and transcribing as necessary.
25.	Jul. 2011		Develop tests and other tools to assess DHR investigations to determine training needed (DHR/Sheriff/DA).
26.	Jul. – Aug. 2011		DHR will enhance the investigative reports to recommend what should be done to prevent similar incidents.
<b>PROGRAM ASSESSMENT</b>			
27.	Sep. 2011		CEOP/DHR/CoCo will continue to research innovative ways to communicate best practices to employees about County equity principles.
28.	Oct. 2011		CEOP to include best practices and lessons learned in the quarterly reports which are copied to all departments.
29.	Dec. 2011		Identify best practices to be shared with departments and the Legal Exposure Reduction Committee; incorporate into training.
30.			
31.	Jan. 2012		Office of CEOP to assess and review CEOP process to determine whether changes are needed.